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Uploaded by: Senator Muse

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony

SB 545: Towing or Removal of Vehicles – Reclamation Hours Judicial Proceedings Committee

- Good Afternoon Chairman Barve, Vice Chair Stein and members of the Environment and Transportation Committee
- SB 545 is not a new bill to this committee. This committee has passed this bill out of the full committee and on the House floor in 2021 and 2020.
- SB 545 would change the hours in which a towed vehicle may be reclaimed, which currently is 24 hours a day and 7 days a week **to** a minimum of 6:00am to 12-midnight, 7 days a week.
- Currently, contractors who tow on behalf of the Maryland State Police are only required to make vehicles available for reclamation Monday–Friday from 8:00am to 6:00pm and Saturday-Sunday from 9am to 12noon.
- This legislation is not asking for the reduction of hours to meet those of the Maryland State Police, but simply a **reasonable** request of 7 days a week from 6:00am to 12-midnight. Thus, SB 545 allows private property tow operators to operate under the same reasonable and safer hours that government contracted tow operators.
- **WHAT IS THE PROBLEM?**
 - In addition, tow companies encounter the most dangerous elements of society between the hours of midnight and 6:00am when they are forced to make towed vehicles available during that window of time. The number of threats and assaults against operators and their

property during this time frame is well documented with law enforcement and insurance companies. In fact, there are two instances where tow truck operators were killed at work in the last 5 years.

- I will close... by answering the question of... ***WHY DO WE NEED THIS LEGISLATION?***
 - This legislation is needed, because private tow contractors are required to have the vehicles available for reclamation 24 hours a day/ 7 days a week. While those tow contractors who are contracted through the Maryland State Police and other Local Police Authorities have reduced hours. While SB 545 is by no means asking for the same minimal hours, this legislation is seeking **REASONABLE** hours for a consumer to reclaim their vehicle.
- In closing, on all properties where private tow operators are lawfully contracted for towing enforcement, there is signage stating the requirements for parking on the property. Therefore, the driver of the vehicle makes a conscious decision to illegally park.
- Thank you in advance for your consideration and I ask for a **FAVORABLE** report on SB 545.

SB545 Crossover Letter of Concern.pdf

Uploaded by: Karen Straughn

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March 23, 2023

To: The Honorable Kumar Barve
Chair, Environment and Transportation Committee

From: Karen S. Straughn
Consumer Protection Division

Re: Senate Bill 545 – Towing or Removal of Vehicles – Reclamation Hours (CONCERN)

The Consumer Protection Division of the Office of the Attorney General has concerns regarding Senate Bill 545 introduced by Senators C. Anthony Muse and Michael A. Jackson. This bill amends the time period during which towed vehicles may be reclaimed by the public. Although the Division appreciates the sponsors' concern about the safety of employees who work at impound lots, we believe that the bill could harm consumers without accomplishing the sponsors' goals.

An individual whose vehicle has been towed is likely to need that vehicle as soon as possible to be able to continue their daily activities, including going to work, school or medical appointments. It may be difficult for an individual to retrieve their vehicle during the hours listed in the bill if they work long hours or work and go to school simultaneously. During a time when the pandemic has affected the schedules of so many individuals, reducing available hours may increase the likelihood that an individual will have to miss school or work to reclaim their vehicle, which may cause a hardship.

Section 21-10A-01(b)(2) of the Transportation Article authorizes local jurisdictions to enact towing regulations that are more stringent than those set forth in State law. Many of the major jurisdictions have local towing laws that would render the provisions of this bill inapplicable.

Accordingly, the Consumer Protection Division wanted to make the Environment and Transportation Committee aware of our concerns.

cc: The Honorable C. Anthony Muse
The Honorable Michael A. Jackson
Members, Environment and Transportation Committee